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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,682	01/24/2002	David C. Swift	VREX-0017USAAON00	8906
26665	7590	12/20/2005	EXAMINER	
REVEO, INC. 3 WESTCHESTER PLAZA ELMSFORD, NY 10523			CHAWAN, SHEELA C	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/057,682	Applicant(s) SWIFT ET AL.	
	Examiner Sheela C. Chawan	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) 4-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on Nov 28, 2005 has been entered and made of record.

Claims 1- 3 are pending in the application.

Claims 4-19 are withdrawn from the application.

Remarks

In response to applicant's Remarks filed on August 22, 2005, (see page 3 of 3rd paragraph lines 1- 2) the recitation has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 3, are rejected under 35 U.S.C. 102(b) as being anticipated by

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Katayama et al., (US. 5,786,847).

As to claim 1, Katayama discloses a method for zooming a stereoscopic image to be displayed on a stereoscopic display (column 3, lines 19 – 26) system (note, using zoom lenses allows to eliminate the undesirable parallax, such as vertical parallax based on the aberration of the optical axes in zooming operation, thereby reducing the fatigue in the stereoscopic viewing and alleviating the load of processing, column 5, lines 62- 67) comprising:

determining a parallax value for a region of the image (fig 3A the current field is divided into plural blocks within the image area, see fig 1 element 106R and 106L detected the amount of motion between the fields (or frames) of the images with respect to CCD 101R and 101L. The motion detection units 106R, 106L detect the motion vectors between the image of the current field and that of the preceding field which unify the motion vectors of the blocks, then determine a representative value (x, y) of the motion vectors of the current field, column 3, lines 9-15, column 3, lines 19 through column 4, lines 1-7);

selecting a zoom area having a boundary intersecting the region (fig 1, element 150 an image synthesis circuit generates a stereoscopic image by synthesizing the left and right image signals are outputting from the D/A converter 105R, 105L and display 160 displays the stereoscopic image, column 3, lines 18- 26, column 5, lines 3-67, column 4, lines 27- 42, fig 6, column 4, lines 38- 65); and

shifting the zoom area by the parallax value or a function of the parallax value (column 4, lines 10- 65, column 5, lines 10-14, fig 9, fig 11, column 5, lines 23-61).

Regarding claim 2, argument analogous those presented for claim 1 are applicable to claim 2. Regarding comparing the parallax values in stereoscopic images as disclosed by Katayama as follows comparing the parallax values for the intersected regions to determine a shift parallax value (fig 1, element 150 an image synthesis circuit generates a stereoscopic image by synthesizing the left and right image signals and outputting from the D/A converter 105R, 105L and display 160 displays the stereoscopic image, fig 9, shows two images are in superposed manner, in fig 10A, correction of vertical difference is done by phase difference detection unit in fig 7, element 130 and fig 10 B shows phase matching by the main object. The phase difference detection unit 130 receives, from the memories 104R, 104L, the image signals of the trimming areas are determined from the motion vectors and the convergence angle control signal, and detects the phase differences in the vertical and horizontal directions, utilizing calculation of correlation or template matching on thus entered image signals, and fig 11, column 5, lines 23- 66).

As to claim 3, Katayama discloses the method wherein the shift parallax value is the minimum parallax value of the intersected regions (column 4, lines 27 through column 5, line 67).

3. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP, 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu reached on 571-272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sheela Chawan
Patent Examiner
Group Art Unit 2623
December 7, 2005